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June 26, 2020

Honorable Vernon S. Broderick  
United State District Court  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: United States v. Richard Hart  
17-cr-248 (VSB)

Dear Judge Broderick:

The defense writes to update the Court on an issue pertinent to Mr. Hart's motion for compassionate release.

On June 25, 2020, the Centers for Disease Control and Prevention (CDC) updated the list of underlying medical conditions that put individuals at increased risk for severe illness from COVID-19. The CDC states that, "[p]eople of any age" are at higher risk if they have certain underlying medical conditions. The CDC has identified two categories. The first, "are at increased risk". The second, "might be at an increased risk". Under this second category both asthma (moderate to severe) and "hypertension or high blood pressure" are specifically listed. See <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html#serious-heart-conditions> (Last visited June 26, 2020).<sup>1</sup>

Respectfully submitted,

/S/  
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Eric Sears  
Defense Counsel for Richard Hart  
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<sup>1</sup> The CDC cites the following scientific evidence:

Hypertension/high blood pressure, Chen, R., et al., *Risk Factors of Fatal Outcome in Hospitalized Subjects With Coronavirus Disease 2019 from a Nationwide Analysis in China*. CHEST; Williamson, E., et al., *OpenSAFELY: factors associated with COVID-19-related hospital death in the linked electronic health records of 17 million adult NHS patients*. medRxiv, 2020: p. 2020.05.06.20092999; Killerby ME et al., *Characteristics Associated with Hospitalization Among Patients with COVID-19 — Metropolitan Atlanta, Georgia, March–April 2020*. MMWR Morbidity Mortality Weekly Report, 2020; Guan, W.J., et al., *Comorbidity and its impact on 1590 patients with COVID-19 in China: a nationwide analysis*. European Respiratory Journal, 2020. **55**(5); Kim, L., et al., *Interim Analysis of Risk Factors for Severe Outcomes among a Cohort of Hospitalized Adults Identified through the U.S. Coronavirus Disease 2019 (COVID-19)-Associated Hospitalization Surveillance Network (COVID-NET)*. medRxiv, 2020: p. 2020.05.18.20103390; Pranata, R., et al., *Hypertension is associated with increased mortality and severity of disease in COVID-19 pneumonia: A systematic review, meta-analysis and meta-regression*. Journal of the Renin-Angiotensin-Aldosterone System, 2020. **21**(2): p. 1470320320926899; Matsushita, K., et al., *The relationship of COVID-19 severity with cardiovascular disease and its traditional risk factors: A systematic review and meta-analysis*. medRxiv, 2020: p. 2020.04.05.20054155; Zheng, Z., et al., *Risk factors of critical & mortal COVID-19 cases: A systematic literature review and meta-analysis*. Journal of Infection, 2020; Yang, J., et al., *Prevalence of comorbidities and its effects in patients infected with SARS-CoV-2: a systematic review and meta-analysis*. International Journal of Infectious Diseases, 2020. **94**: p. 91-95.

Asthma, Gold, J.A.W., et al., *Characteristics and Clinical Outcomes of Adult Patients Hospitalized with COVID-19 – Georgia, March 2020*. MMWR Morbidity Mortality Weekly Report, 2020. **69**(18): p. 545-550; Mahdavinia, M., et al., *Asthma prolongs intubation in COVID-19*. The journal of allergy and clinical immunology. In practice, 2020: p. S2213-2198(20)30476-1; Chao, J.Y., et al., *Clinical Characteristics and Outcomes of Hospitalized and Critically Ill Children and Adolescents with Coronavirus Disease 2019 (COVID-19) at a Tertiary Care Medical Center in New York City*. The Journal of Pediatrics, 2020; DeBiasi, R.L., et al., *Severe COVID-19 in Children and Young Adults in the Washington, DC Metropolitan Region*. The Journal of Pediatrics, 2020; CDC Covid-19 Response Team, *Preliminary Estimates of the Prevalence of Selected Underlying Health Conditions Among Patients with Coronavirus Disease 2019 – United States, February 12–March 28, 2020*. MMWR Morbidity Mortality Weekly Report, 2020. **69**(13): p. 382-386.